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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,844	11/13/2003	Toshiyuki Mitsubori	011350-325	4885

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EXAMINER	
RODRIGUEZ, LENNIN R	
ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
12/02/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

Office Action Summary	Application No.	Applicant(s)	
	10/705,844	MITSUBORI, TOSHIYUKI	
	Examiner	Art Unit	
	LENNIN R. RODRIGUEZ	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 September 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4,5,7,10-12,14 and 18-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4,5,7,10-12,14 and 18-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 11, 4-5, 12 and 21 have been considered but are moot in view of the new ground(s) of rejection.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/3/2009 has been entered.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1, 4-5, 10, 12, 18 and 21-22 rejected under 35 U.S.C. 103(a) as being unpatentable over Nishide et al. (US 2003/0007173) in view of McIntyre (US 2003/0063305) and Shima et al. (US 6,104,498).

(1) regarding claims 1, 5 and 12:

Nishide '173 discloses a printing device (12 and 14 in Fig. 1, where printer 14 represents the printing unit and server 12 represents printer functionality) comprising:

a printing job receiving unit for receiving a printing job (network interface 22 in Fig. 1 receives a print job), wherein the printing job includes (a) a single default setup command for modifying multiple items of a default setting for the printing device (paragraph [0082], lines 4-8, where the print job includes printing functions, equivalent to commands, with modifying setting options), (b) a print condition instruction used for executing the printing job (paragraph [0080], lines 4-6, where the fact that the print job is interpreted by the server as to be printable shows a condition to execute);

a command analyzing unit for analyzing whether the received printing job includes the singular default setup command (paragraph [0082], lines 6-8 and paragraph [0083], where the settings are compared to the previously setting of and determine if the are different or not and changing them);

a default setup modifying unit for modifying multiple items of a default setting to create a modified default setting based on the single default setup command when the single default setup command is included in the printing job (paragraph [0083], where the default setup gets changed to the settings specified in the print job with a warning message to the user), and for storing the modified default setting in a memory by updating the default setting previously stored in the memory so that the modified default setting is available after printing the test print image data (paragraph [0082] and [0083], where after a determination of

differences between setting information in the print job and setting information in the external storage, the newly acquired "standard" setting are stored as well);

Nishide '173 discloses all the subject matter as described above except storing the modified default setting in a memory of the printing device.

However, McIntyre '305 teaches storing the modified default setting in a memory of the printing device (paragraph [0005], where the default setting information is stored and keep in the memory of the printing device).

Having a system of Nishide '173 reference and then given the well-established teaching of McIntyre '305 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing device of Nishide '173 to include storing the modified default setting in a memory of the printing device as taught by McIntyre '305 because it will preserve the customized control settings to achieve the desire default print configuration (paragraph [0005], lines 4-5) thus improving performance of the system and increase undependability of other systems to acquire default settings.

Nishide '173 and McIntyre '305 disclose all the subject matter as describe above except wherein the printing job includes (c) test print image data; and

a printing unit for printing the test print image data included in the printing job.

However, Shima '498 teaches wherein the printing job includes (c) test print image data (column 14, lines 5-18, where the print job includes test print information); and

a printing unit (3 in Fig. 1) for printing the test print image data included in the printing job (column 14, lines 5-18, where the test page is being printed).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made wherein the printing job includes (c) test print image data; and a printing unit for printing the test print image data included in the printing job as taught by Shima '498 in the system of Nishide '173 and McIntyre '305. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

(2) regarding claim 4:

Nishide '173 further discloses a printing job transmission device (3000 in Fig. 1) comprising:

a default setup inputting unit for inputting multiple items of a default setting for a printing device (paragraph [0013], where the user can set the printer setup by means of an application that allows to add the information to the print job);

a printing job preparation unit for preparing a printing job (paragraph [0013], where the user can prepare a print job by means of an application that allows to add the information to the print job) including (a) a single default setup command used for modifying multiple items of the default setting for the printing device to create a modified default setting based on the multiple items entered by the default setup inputting unit (paragraph [0082], lines 4-8, where the print job includes printing functions, equivalent to commands, with modifying setting options), (b) a print condition instruction used for executing the printing job

(paragraph [0080], lines 4-6, where the fact that the print job is interpreted by the server as to be printable shows a condition to execute),

wherein the modified default setting is configured to be stored in a memory by updating the default setting previously stored in the memory so that the modified default setting is available after printing the test print image data (paragraph [0082] and [0083], where after a determination of differences between setting information in the print job and setting information in the external storage, the newly acquired "standard" setting are stored as well).

Nishide '173 discloses all the subject matter as described above except storing the modified default setting in a memory of the printing device.

However, McIntyre '305 teaches storing the modified default setting in a memory of the printing device (paragraph [0005], where the default setting information is stored and keep in the memory of the printing device).

Having a system of Nishide '173 reference and then given the well-established teaching of McIntyre '305 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing device of Nishide '173 to include storing the modified default setting in a memory of the printing device as taught by McIntyre '305 because it will preserve the customized control settings to achieve the desire default print configuration (paragraph [0005], lines 4-5) thus improving performance of the system and increase undependability of other systems to acquire default settings.

Nishide ‘173 and McIntyre ‘305 disclose all the subject matter as describe above except a printing job including (c) test print image data; and

a printing job transmission unit for transmitting the printing job to the printing unit.

However, Shima ‘498 teaches a printing job including (c) test print image data (column 14, lines 5-18, where the print job includes test print information); and

a printing job transmission unit for transmitting the printing job to the printing unit (system spooler 204 in Fig. 3).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a printing job including (c) test print image data, and a printing job transmission unit for transmitting the printing job to the printing unit as taught by Shima ‘498 in the system of Nishide ‘173 and McIntyre ‘305. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

(3) regarding claim 21:

Nishide ‘173 further discloses a printing system (Fig. 1) comprising a printing device (12 and 14 in Fig. 1) and a printing job transmission device (16 in Fig. 1), which are connected so as to communicate with each other (network in Fig. 1); wherein

said printing job transmission device comprising:

a default setup inputting unit for inputting multiple contents of a default setting for the printing device (paragraph [0013], where the user can set the printer setup by means of an application that allows to add the information to the print job); and

a printing job preparation unit for preparing a printing job (paragraph [0013], where the user can prepare a print job by means of an application that allows to add the information to the print job) including (a) a single default setup command used for modifying multiple contents of the default setting for the printing device to multiple contents entered by the default setup inputting unit (paragraph [0082], lines 4-8, where the print job includes printing functions, equivalent to commands, with modifying setting options), (b) a print condition instruction used for executing the printing job (paragraph [0080], lines 4-6, where the fact that the print job is interpreted by the server as to be printable shows a condition to execute);

said printing device comprising:

a printing job receiving unit for receiving a printing job (network interface 22 in Fig. 1 receives a print job), wherein the printing job includes (a) a single default setup command for modifying multiple items of a default setting for the printing device (paragraph [0082], lines 4-8, where the print job includes printing functions, equivalent to commands, with modifying setting options), (b) a print condition instruction used for executing the printing job (paragraph [0080], lines 4-6, where the fact that the print job is interpreted by the server as to be printable shows a condition to execute);

a command analyzing unit for analyzing whether the received printing job includes the singular default setup command (paragraph [0082], lines 6-8 and paragraph [0083], where the settings are compared to the previously setting of and determine if the are different or not and changing them);

a default setup modifying unit for modifying multiple items of a default setting to create a modified default setting based on the single default setup command when the single default setup command is included in the printing job (paragraph [0083], where the default setup gets changed to the settings specified in the print job with a warning message to the user), and for storing the modified default setting in a memory by updating the default setting previously stored in the memory so that the modified default setting is available after printing the test print image data (paragraph [0082] and [0083], where after a determination of differences between setting information in the print job and setting information in the external storage, the newly acquired "standard" setting are stored as well);

Nishide '173 discloses all the subject matter as described above except storing the modified default setting in a memory of the printing device.

However, McIntyre '305 teaches storing the modified default setting in a memory of the printing device (paragraph [0005], where the default setting information is stored and keep in the memory of the printing device).

Having a system of Nishide '173 reference and then given the well-established teaching of McIntyre '305 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing device of Nishide '173 to include storing the modified default setting

in a memory of the printing device as taught by McIntyre '305 because it will preserve the customized control settings to achieve the desire default print configuration (paragraph [0005], lines 4-5) thus improving performance of the system and increase undependability of other systems to acquire default settings.

Nishide '173 and McIntyre '305 disclose all the subject matter as describe above except a printing job including (c) test print image data; and

a printing job transmission unit for transmitting the printing job to the printing unit; and

said printing device comprising:

a printing unit for printing the test print image data included in the printing job.

However, Shima '498 teaches a printing job including (c) test print image data (column 14, lines 5-18, where the print job includes test print information); and

a printing job transmission unit for transmitting the printing job to the printing unit (system spooler 204 in Fig. 3); and

said printing device comprising:

a printing unit (3 in Fig. 1) for printing the test print image data included in the printing job (column 14, lines 5-18, where the test page is being printed).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a printing job including (c) test print image data, and a printing job transmission unit for transmitting the printing job to

the printing unit as taught by Shima '498 in the system of Nishide '173 and McIntyre '305. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

(4) regarding claims 10, 18, 20 and 22:

Nishide '173 and McIntyre '305 disclose all the subject matter as describe above except wherein the printing unit prints the test print image data according to the modified default setting.

However, Shima '498 teaches wherein the printing unit prints the test print image data according to the modified default setting (column 14, lines 5-18, where it prints a test page with the default setting to test whether or not its OK).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to wherein the printing unit prints the test print image data according to the modified default setting as taught by Shima '498 in the system of Nishide '173 and McIntyre '305. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

6. Claims 7, 11, 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishide et al. (US 2003/0007173), McIntyre (US 2003/0063305) and Shima et al. (US 6,104,498), as applied to claims above and further in view of Iguchi (US Patent 6,963,414).

Nishide ‘173, McIntyre ‘305 and Shima ‘498 disclose all the subject matter as described above except wherein said printing unit prints the contents of the default setting modified by said default setup modifying unit.

However, Iguchi ‘414 teaches wherein said printing unit prints the contents of the default setup modified by said default setting modifying unit (column 1, lines 12-26, where the status print is printing a list of various settings).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that said printing unit prints the contents of the default setup modified by said default setting modifying unit as taught by Iguchi ‘414, in the system of Nishide ‘173, McIntyre ‘305 and Shima ‘498. This is used by a user, developer or person in charge of maintenance to check the set items of the printing apparatus and to perform test printing (column 1, lines 12-26).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LENNIN R. RODRIGUEZ whose telephone number is (571)270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Mark Zimmerman can be reached on (571) 272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lennin R Rodriguez/
Examiner, Art Unit 2625

/Mark K Zimmerman/

Supervisory Patent Examiner, Art Unit 2625